Board of Revenue

STATION Madras

(F.C.) No. 2941

Dated 23-10-40

C.F. 37
N.F. 5.

(SUBJECT.)

Lands and buildings - (South Kanara) -
Udip. taluk - Padu village - Kamp
2 godowns - S.Nos. 76/1, 2 and 9 - Gun
of Central Govt - Admitted - G.O. -
communicated.

1

85979

Ref. B.5-3550/1939. South Kanara Collector's Office,
Mangalore, dated 25th September 1939.

From

Sri Rao Bahadur C. P. Karunakara Menon,
Collector of South Kanara.

To

The Secretary to the Board of Revenue,
Land Revenue and Settlement,
M a d r a s.

Sir,

L a n d--Udipi Taluk--Padu village--S.Nos. 76/1, 2 and 9--Kaup Light House--Light Keeper's quarters--Transfer to Marine Department-

@@@@@@@

S. Nos. 76/1, 2 and 9 of Padu village, Udipi Taluk, measuring 1.97 acres in extent stand registered as "Kaup Light house Bungalow garden poramboke". The plots contain a cocoanut garden which is in charge of the Revenue Department. This garden is being leased by the Tahsildar, Udipi, every year. S.No. 76/1 also contains the quarters of the Light Keepers. The Tahsildar, Udipi, states that outsiders have been prevented from coming forward to bid for the lease of the garden by the Light Keepers and that the Head Light Keeper gets the lease in his own name for a nominal rent. To put an end to this state of affairs, it has been suggested that the plots with the garden may be made over to the Marine Department. The Principal Officer, Mercantile Marine Department, who was consulted by the --- Tahsildar, Udipi, refers to letter No.B.988/37-2, dated -- 7-10-1937 from the Board of Revenue to the Government of - Madras and letter No.M.S.2166, dated 26-10-1938 from the Government of Madras to the Government of India (copies enclosed) and states that the lands belong to the Central

Government. But there is nothing to show that the plots belong either to the light houses Department or to the --- Marine Department. The land with the garden except the -- portions covered by the buildings has always been in charge of the Revenue Department, which is leasing the garden and collecting the rent annually. I presume that the Board and the Government were not aware of these facts when ---- dealing with the matter in the above correspondence. A sketch of the plots showing the location of the Light Keepers' quarters is enclosed. I request orders whether the lands mentioned above should be treated as belonging to the Marine Department, or whether a formal transfer should be made --- after collecting the market value under B.S.O.23-1.

P7c

P92, C 6
Mh·68—
159

For Collector.

20.9.39

From...K. Ramunni Menon, Esq., I.C.S., Secretary to the Government of Madras, Public Works Department, Madras.
To.....The Secretary to the Government of India, Dept. of Commerce, Simla.

No. M.S.2166, P.W.D., dated Fort St. George, the 26th October 1937.

Title of real estate belonging to the General Lighthouses and Lightships Department.

--

In reply to Commerce Department's letter No.430-P & L (23/35) dated 3rd February 1937, I am directed to state that this Government agree with the Central Government that no disputes regarding the title to the lands at present attached to the General Lighthouses and Lightships Department in this Province are likely to arise in the future, and they accept the title of that department to those lands. I am, however, to invite attention to the remarks of the Presidency Port Officer and the Board of Revenue in regard to the Kap Lighthouse in Udipi Taluk of South Kanara Dist. and to state that, though there is a remote possibility of the title of the department being questioned by the --- temple authorities, this Government doubt whether such a claim will be made.

@@@@@

(True Copy)

For Collector. 26-9-37

26-9-37.

Copy of Reference from the Board of Revenue, No.B.988/37-2, dated 7th October 1937.

Land--General Lighthouse and Lightships Department-Title of the Government of India--Report submitted-

Endorsement from the Government, Public Works Department, No.363-Mar-2 dated 27th February 1937.

Letter from Captain B.Gordon, R.I.N., Presidency Port Officer, Madras, No.189 L.H.4, dated 30th August 37.

Title of real estates belonging to the general Lighthouses and Lightships Department.

I have the honour to forward herewith a statement showing the list of lands attached to General Lighthouses in the Madras District and to state that the lands attached to Santopilly, Sacramento, Pulicat, Point Calimere, Manapad, Quilon and Kadalur Point Lighthouses have all been in the unconditional occupation of the Government of India in the Lighthouses and Lightships Department on 1st April 1921. As regards other lighthouses particulars are given below:-

Armaghon Lighthouse.- which is not now exhibited is situated in the village of Pudirayadoruvu, an unsurveyed zamin village in the Venkatagiri estate. An extent of --- 3.73 acre of land shown in the Zamindari accounts as the Lighthouse had been treated as Government property from the very beginning.

Mahabalipur Lighthouse.- is in an unsurveyed zamin village and the Collector states that particulars regarding survey numbers etc., are not available.

Particulars regarding land attached to the Lighthouse are not available from the records of this office. A sum of Rs.540/- was sanctioned by Government in 1901 for taking up land and enclosing the lighthouse buildings.

To a reference from this office in the year 1929 the Collector of Chingleput stated that the extent of land --- attached to Mahabalipur Lighthouse was 1.32 acres.

Kap Lighthouse.- The Collector of South Kanara reports that the land register of Padu village shows that the Lighthouse premises lie in S.Nos.76/1, 2 and 9 and the second -- Assistant Lightkeeper's quarters in S.Nos. 1 and 9 and in patta land S.No.76/10 registered in the name of deity Brahmaling Dev and that it is not possible to ascertain how the land belonging to the deity came into the enjoyment of the Lighthouse Department.

Muttum Lighthouse.- is situated in Travancore state. The lands attached to the Lighthouses are owned by the ---- British Government as per patta No.452 and the tax thereon is being paid by the British Government.

(True Extract)

For Collector.
26.9.31

1 (F. W.S)

Pat:— (S. Kanara) — Udipi Taluk
— Padu Vge — Kaup Light House
S. No 76/1, 2 and 9 — Ownership

Ag(dr)

3/4 21.x.39 23/x

Read afam

P21.C.F (W) Collr of S. Kanara, L. Dis 111 2/37 & 31-5-

Read

Pf 1-2.C.F Collr of S. Kanara, Rey B-5- 3550/39
dated 25-9-39—Q.

M 16/10

R cwr 12/10/40 V 15/11

Rejee E 59 79/39-1 dated 14-10-3

The attention of the Collr is invited to his letter first cited above. He is requested to report whether the Light-keeper's quarters are enclosed by fences or compound walls and if so, to mark in the sketch the area enclosed by the fences or compound walls. He is also requested to submit for the B.S' file, a copy of the sketch enclosed with his letter second cited above.

2/ The Collr. is also requested to report (1) whether the lands were acquired if so, when & at what cost (2) when the buildings were constructed & at what cost & (3) to what account the rent realised for the lease of this garden has been credited

To

The Collr of S. Kanara
with a Sketch to be
rept. in triplicate

TBP 11/10/40

Ltr 14 Oct

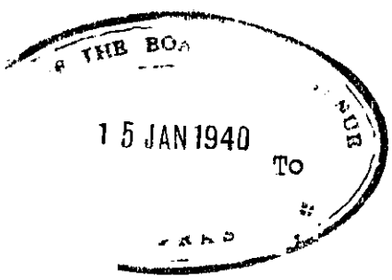
E 335

Ref.B5-3550/39.

South Kanara Collector's Office
Camp Vittal, 11th January 1940

From

A. C. Woodhouse, Esq., C.I.E.,
Collector of South Kanara.



To

The Secretary to the Board of Revenue,
Land Revenue & Irrigation,
M a d r a s.

Sir,

Ports - (South Kanara) - Udipi Taluk - Padu village - Kaup Light House - S.Nos.76/1,2 & 9 - Ownership - Report submitted.

Board's Reference E.No.5979/39-1 dated 14.10.1939.

The Light keeper's quarters consisting of S.Nos. 76/1,2,9 and 10A are enclosed by a common mud enclosure on the north, east and south as shown in the eyesketch. The cocoanut garden exists only in S.No.76/1.

Paragraph 2.- (1) The information is not available.

(2) The Light Keeper states that the list of lights and lighthouses for 1905 shows that the buildings were completed by the Marine Department in 1901.

(3) In 1935 the rent was credited to 'Forest Remittances - Original credit. In 1936 it was credited to 'XX(1) Light Houses and Light ships - Central - Light dues'. The rent in 1938 was credited to 'VII Land Revenue Miscellaneous - Other items'. The garden was not leased out in 1937. The Tahsildar reports that he was unable to trace credits for previous years.

Paragraph 3.- Eyesketches in duplicate are enclosed.

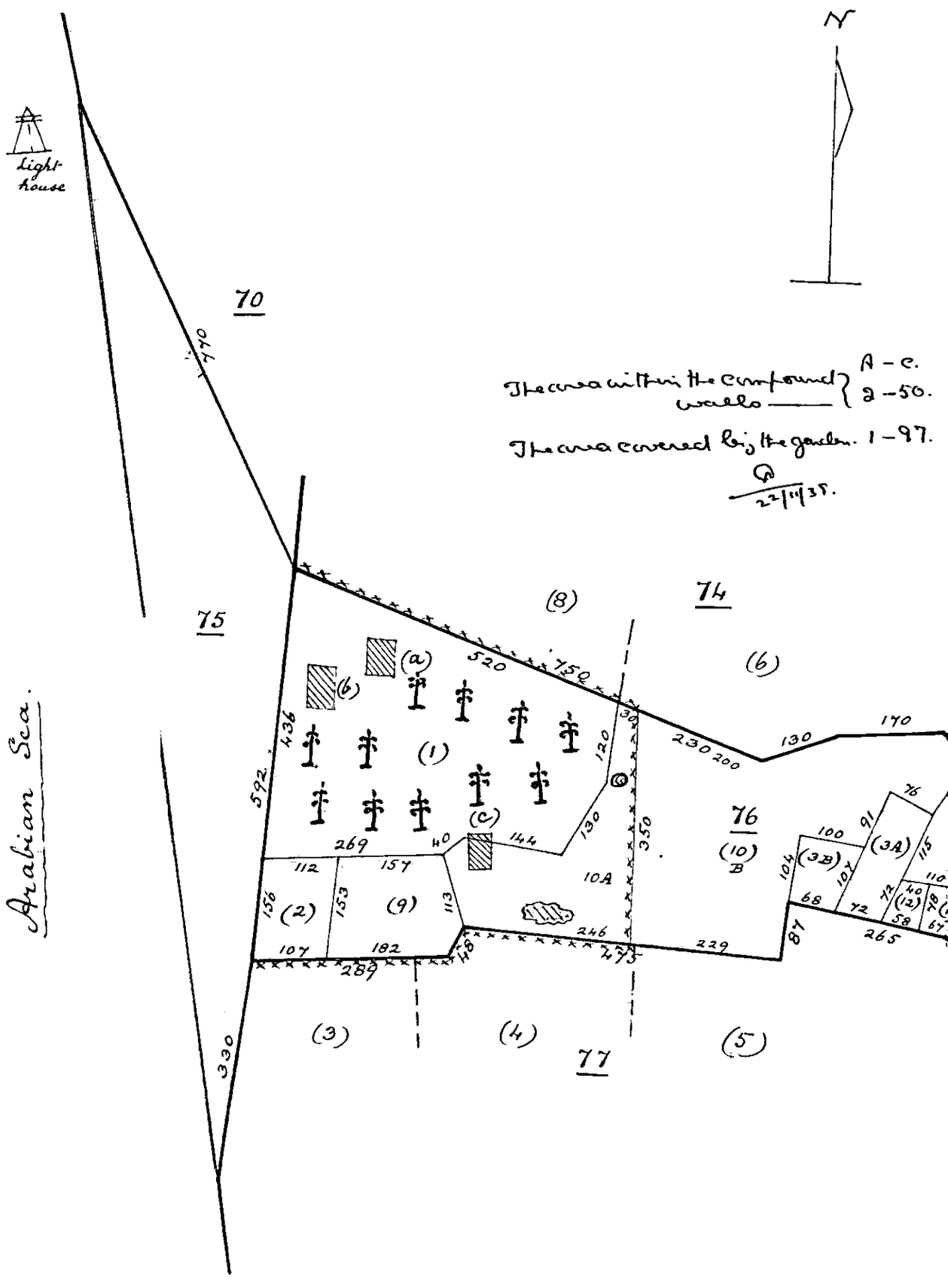
For Collector.

12.1.40.

District — Kanara.
Taluk — Udipi

Village { No. 100
Name. Padu

Field No 76
1.2.9.10



The area within the compound walls — A – c. 2 – 50.

The area covered by the garden. 1 – 97.

22/11/35.

Scale $\frac{1}{2}$ inch = one chain

Index.

S.No. & Sub-division No.	Desam Pattu No. & Name of the Pattadar	Remarks.
75	Dry. Assessed waste	2.90 acres.
76 1	Poramboke	
2	Do }	Head Light Keeper's quarters and compound.
9	Do }	
10A	75 Dry. Nagalakshmi Iyer	— On the employment of the Head Light Keeper.
10B	75 Dry. —do—	
3A } 3B	Garden 193. Hamsa Marakala.	
11	Garden 75. Nagalakshmi Iyer	
12	" 71. Ruthu Marakal Ltd	
4	" 70 Rajamu Marakal Ltd & Boggi Marakal Ltd.	
(a)		Head Light Keeper's quarters
(b)		Assistant Light Keeper's quarters
(c)		2nd Assistant Light Keeper's quarters
@	.. ..	Tank in the employment of the 2nd Light Keeper. Cocoanut trees. well.
xxxxxx		Mud enclosure.
8	Garden 202	Gunachhana Stembhagru.
6	" 17	Manju & others
3	" 70	Rajamu Marakal Ltd & Boggi Marakal Ltd
4	" 71.	Ruthu Marakal Ltd.
5	" Por.	Burial ground.

M. Sayed Mahamed
22.11.35
R.I. Kanigiri

Agl

DRAFT FOR APPROVAL. (S. 4R)

	Date.	Initials.
When received for fair copying ..	8.2	
When copied ..	5/2	
When examined..		
When signed ..	DESP	
When despatched.	7-FEB 1940	

SUBJECT :— Ports — (S. Kanara) — Ankola Taluk — Padu Use — Kaup Light House — S. Nos 76/1, 2 and 9 — Government

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ *ALSO* ;—

No. _____ From the _____, No. _____, dated _____ 19____

pgc.F " _____ " Collr of S. Kanara, Rey. No. B-5-3570/39, 11-1- 1940 -

" _____ " _____ " _____ " _____ 19____

~~Order~~ Ms. ~~Resolution Rout.~~ No. _____, dated Rejee. E 5979/39-2 dy 3-2- 1940

The Collr repat that the rent was credited to 'I Forest Remittances — Original Credit' in 1935, to 'XX (1) Light House and Light ships — Central — Light dues' in 1936 and to 'I VII Land Revenue Miscellaneous — other items' in 1938. It is requested to repat to bring the rent was credited to different heads in these years and to furnish the authority for the same

2/ In his letter L. No. 1112/ dated 21-5-37 the Collr stated that the grantees of the Kaup Light Keeper Lay. S. Nos in 76/1 and

16/

land

and in ~~portion~~ private S.No 76/10

But from the ~~eye~~ Sketch furnished plicf

with his letter cited above, it

is seen that these Quarters lie

in S.Nos 76/1 and 76/10A only

The Collr is requested to ~~require~~ explain

the discrepancy.

To

The Collr of Sikkim

17

Ref.B5-3550-39. South Kanara Collector's Office,

Mangalore, dated 14 - 3 - 1940.

E 1739

From

M. V. Subrahmanyam Esquire, M.A., I.C.S.,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue and Irrigation,

M a d r a s.

Sir,

Ports - (South Kanara) - Udipi Taluk - Padu village Kaup Light House - S.Nos. 78/1, 2 and 9 - Ownership -report submitted.

Board's Ref. E.No. 5979-39-2 dated 3-2-1940.

Mp 15-16 CF

****

The Tahsildar, Udipi reports that the rent of Rs.7/- for 1936 which was originally credited to "Deposits of Local Funds - Other Funds - Port and Marine Funds - Light Keepers Recreation and Benefit Fund" was transferred to "XX (1) Light House and Light Ships - Central Light dues" as per Treasury Deputy Collector's order. No authority is available in his office for crediting the rent to different heads in the years 1935? 1936 and 1938.

Mp 15-16 CF
Mp 11 CF
Mp 9 CF

Para 2 of Board's reference: The details furnished in the sketch submitted to the Board with this office Ref.No. B5-3550/39 dated 11-1-1940 are correct. No building exists in S.No. 76/9. The major portion of the second assistant Light-keepers quarters exists in private land in S.Nos. 76/10A, and only a portion of the verandah in S.No. 76/1.

For Collector.

14.3.40

19 (F.W.S)

Ports – C.S. Kanara) – Udipi Taluk
– Padu Vge – Kaup Lighthouse –
S. Nos 76/1, 2 and 9 – Guaranteeship.

Agl(Ge)

- 8 APR 1940

Pt 33/4 B 8/4

pICF Collr Kanara, Rey B-S- 3550/39 dated 14-3-40 – q

B 8/4

Reyce E 5979/39-3 dated 9-4-40

The Collr is requested to report in detail the circumstances under which the Treasury Deputy Collector ordered the change in the head of credit of the rent. He is also requested to submit a copy of this order very early

Collr of Kanara

30/3 30/3

24

Ref. B5. 3550-39.

South Kanara Collector's Office,
Mangalore, dated 12.4.1940.

E 2292

From

Sri Rao Bahadur V. Ponnuswami Pillai,
Collector of South Kanara.

To

The Secretary,
Board of Revenue,
Land Revenue & Irrigation,
M a d r a s.

Sir,

Ports - Udipi Taluk - Padu village - Kaup Light house - S.Nos. 76/1,2 and 9 - ownership

Refce:- Board's Ref. No. E. 5979/39-3 dated 2.4.1940.

P19 cf

*****

The Treasury Deputy Collector ordered the change in the head of credit of the rent as requested by the Port Officer, Mangalore in his letter No. 1096/3 dated -- 8.12.1936, a copy of which is enclosed.

P-3 cf

For Collector.

15.4.40

Copy of Letter from the Port Officer, Mangalore to the Treasury Officer, South Kanara, Mangalore No.1096/3, dated 8-12-1936.

******

Ref:- Statement of Receipts and charges of Light-Keepers - Recreation and Benefit Fund for October 1936.

*****

A sum of Rs.7/- being the sale proceeds of the usufructs of the Cocoanut trees in the Kaup Light House compound has been wrongly credited to Light-keepers Recretation and Benefit Fund as per Challan No.278 dated 2.10.1936.

I request that the above amount may be transferred to the Indian Light Dues account and the fact intimated to this office.

/True Copy/

For Collector.

15.4.40

(F.W.S)

A8(4a)

Ports – (S. Kanara) – Udipi Taluk – Padubidri – Kaup Lightthouse – S. Nos 76/1, 2 and 9 – Guarantee

11a/30/4 p2 ICF Collr of S. Kanara, Reg B-5-3530-39 dated 12-4-40

Refer E 5979/39-4 dated 30-4-40

The collr is requested to furnish information as to the planted tree in the coconut garden and whether it is in that circumstances

compn obtd 27/4

TDP 27/4 27 acres

68/2 S-4

The Collr of S. Kanara.

L C 30/4

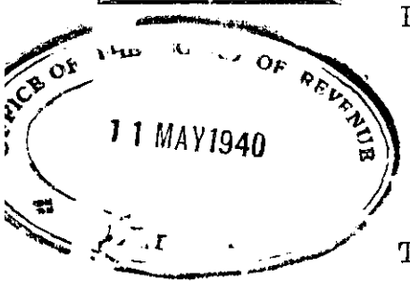
27

C.F. 32.

_____DEPARTMENT. E 2731 -5979/39

In reply, please quote number, date and short title.*

Received _____ *Registered* _____



From (Name) Sri Rao Bahadur V. Ponnuswami Pillai,

(Designation) Collector of South Kanara,

Post Box_____, (Station) Mangalore.,

*Telegraphic Address*_____

To

The Secretary to the Board of Revenue,
Land Revenue & Irrigation, Madras.

Ref.B5. *No.* 3550-39, *dated* 9th May 1940.

Sir,

Enclosures_____

_____ p. 2 cys

_____

Spare Copies_____

Ports - Udipi Taluk - Padu village - Kaup Light house - S.Nos.76/1, 2 and 9 - Ownership -

Ref:-Board's Refce.No.E.5979/39-4 dated 30.4.1940.

***

The plots in question were garden lands even at the time of the original settlement. It has not been possible to ascertain who planted the trees in the cocoanut garden and when and in what circumstances.

V. Ponnuswami
Collector.

9.5.40

HR/9.5.

29

(F.W.S)

C.F. 18.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..	31/7	
When copied ..	1/8	
When examined ..	2-8.	V.T.G.
When signed ..	2/8	
When despatched	2.8.40	

SUBJECT :— Ports — (S. Kanara) — Udipi Th — Padu Vge — Kaup light house — S. Nos 76/1, 2 pt — Ownership.

p1 cf — READ ~~AGAIN~~ Coll'r's Rep. S. Kanara, ~~dated~~ Rep. B-5-3550/39 of 25-9-1939

p9 cf — " " do " do of 11-1-1940

READ ~~ALSO~~ :—

p17 cf — No. ____ From the Coll'r of S. Kanara, No. B-5-3550/39 dated 14-2-1940

Mp 21-23 cf — " ____ " do " " 12-4-1940

p27 cf — " ____ " do " " 9-5-1940 31

~~Order — Ms.~~ / ~~Resolution — Rout.~~ ~~No.~~ ____, ~~dated~~ Rep. E 5779/39-5 dated 29-7-1940

Q.

Coll'r's Rep. dt 17-7-1940 p1 cf

Draw order, as p5 cf Kaup

To

p1 cf

Mp 1 p9 cf

p1 cf

Re Bd. Proceedings for the order of the Govt on the question of the ownership of S. Nos 76/1, 2 pt of Padu vge containing the quarters of the lightkeepers attached to the Kaup lighthouse

2/ The survey fixed in respect of these S. Nos measuring 1.97 acres in extent stand registered as Kaup lighthouse Bungalow garden parambope". The Coll'r reports that there is a cocoanut garden in S. No 76/1 which is in charge of the Revenue Department. This garden is being leased by the Taluk, Udipi every year. But

the Head lightkeeper, who has his quarters in the same S.No, prevents outsiders from taking the garden on lease and get the lease in his own name for a nominal rent. ~~In order to get over this~~ To obviate this difficulty, the Coll. proposed to handover the plots to the Marine Dept under B.S.6 23CW after collecting the market value. He consulted the Principal Offr, Mercantile Marine Dept ~~the letter refers to letter~~ who claims that the lands belong to the central Govt in view of the correspondence in Bd's Refee No. B 988/37-2 dated 7-10-37 from ~~the Board~~ to the Govt of Madras and letter No Ms 2166 Rev. dated 26-10-38 from the ~~Govt~~ Govt of Madras to the Govt of India ~~and finally that the lands belong to the Central Govt~~. The Coll. however states that the land with the garden, except the portion covered by the bldgs, has always been in charge of the Rev. Dept, which ~~is~~ has been leasing the garden and collecting the rent annually and that presumably the Bd. and the Govt were not aware of these facts when dealing with the

p 92, MBF — C.S. 159

p 25 of (W)

p 27 of (W)

p 2 of

above correspondence. In the circumstances he solicits orders whether the lands in question should be treated as belonging to the Marine Dept or whether a formal transfer should be made after collecting the market value under B.S.R. 22 (1).

58— C.S. 159

~~Asst. Collector requesting further elucidation on the subject~~

The letter reports that the quarters of the Head Light keeper and Asst. Lightkeeper

p16 cf stands in S. No 76/1 and that of the

p17 cf second Asst. Lightkeeper in S. No 76/1 and 76/10A, a building

p11 cf regd. in the name of the deity Brahmalingeshwar — vide sketch enclosed S. Nos 76/1, 2 & 9 and

p9 cf 76/10A are enclosed by a common wall enclosure on the

p10 cf north, east and south as shown in the sketch enclosed.

p9 cf The Lightkeeper states that the list of lights and lighthouses for 1905 shows that the bldgs on the S. Nos were completed by the Marine Dept in 1901.

There are two points

~~Whereas~~ and to ~~establish the~~ show
that the Brook Gas are entitled
to the lands ~~hereinafter~~ viz.,
(1) the lands with the garden except
the portion covered by the bldgs has p2 cf
always been in charge of the Rev.
Dept which is leasing the garden
and collecting the rent annually;
(2) ~~In~~ In 1935 and 1938, the rents
realised from leasing the garden
were credited to Brook Revenues p9 cf
But no authority is traceable
in regard to the above. ~~Explain~~.
There is no information ~~as~~ to who p27 cf
planted the trees, ~~and~~ when and
in what circumstances. ~~Reader~~
Though in 1935 and 1938 the
rent was credited to Brook revenues, p9 cf
the rent for ~~The Year~~ 1936 was credited to —do—
Central revenues. Credits for pre-
vious years are not traceable. —do—
It is not also known why the
rents were credited to different p17 cf
heads in previous years.

~~In the alternative, in view~~

The registry of the lands, the existence of
the light keeper's quarters and the
garden ~~standing~~ on the same ~~land~~, ownership free,

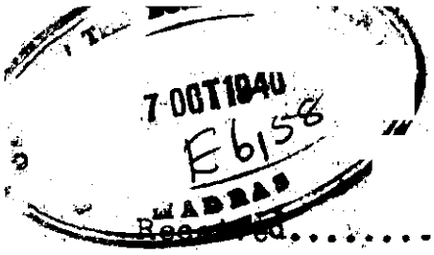
the existence of an enclosure around the 3 [illegible] including the garden and the construction of the quarters by the Marine Dept, it seems [illegible] that the lands, with the gps and the garden, vest in the Central Govt. The Bd is of opinion that the garden should be handed over to the Marine Dept without collecting any market value. Dy Secretary solicits the orders of the Govt in the matter as regards ownership.

Submitted.

18/2/17

Le Secy to the Govt, A.D
(with a sketch)
Pl 13 cft to go in original.

3.30 pm



35

Rec'd.....1940. Registered..

Abstract.

Lands and buildings (South Kanara) - ~~xxxxxxxxx~~ Udipi taluk Padu village - Kaup Light House - S. Nos. 76/1, 2 and 9 - Ownership of Central Government - Admitted.

PUBLIC WORKS DEPARTMENT.

G.O. Ms. No. 2176, dated 15th October 1940.

Read the following:--

G.O. No. 2165-66, Public Works, dated 26th October 1937.

From the Board of Revenue, Reference No. E. 5979/39-5, dated 31st July 1940.

From the Presidency Port Officer, Madras, No. 1799 Gl./40-3, dated 23rd September 1940.

O R D E R:--

The Government consider that the garden in S. No. 76/1 and S. Nos. 76/2 and 9 of Padu village, Udipi ~~xxx~~ taluk, South Kanara District should be regarded as part of the enclosure round the quarters of the light keepers at Kaup light house and that the claim of this Government to the garden and trees should be waived. The Board of Revenue is therefore informed that the lands referred to above should be deemed to vest in the Central Government.

(By Order of His Excellency the Governor)

~~xxxxxxx~~
K. Ramunni Menon,
Secretary to Government.

To

The Board of Revenue.
The Presidency Port Officer.
The Revenue Department.

(True Copy)
Forwarded.
/By Order/

16.10.40

Superintendent.

37

DRAFT FOR APPROVAL. (F.W.S)

S.F. 16.

	Date.	Initials.
When received for fair copying ..	23.10.60	
When copied ..	26/10	
When examined..		
When signed	28/10	
When despatched.		

SUBJECT :— Lands and Bldgs — C.S. Kanara — Kudligi taluk — Padu village — Karup lighthouse — S. Nos 76/1, 2 and 9 — Guarantee of centra Govt — Admitted — G.O. — communicated

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ *ALSO* :—

No. _____ From the _____, No. _____, dated _____ 19____

3SP " _____ " G.O. Ms No 2176 P.W.D " _____ of " 15-10- 19 60 A

" _____ " _____ " _____ " _____ 19____

~~Order~~ Ms. ~~Resolution Rout.~~ No. _____, ~~dated~~ Res (Ms) 2941 dated 22-10 19 60

Communicated to the Collr of S. Kanara with ref to the correspondence ending with his letter, Rc. B-5- 3550/59 of 9-5-

hue
M
22/10
P2764

TO

The Collr of South Kanara

BP 21/10

28/10

Note File

A.L.R.

Ports — (S. Kanara) — Udipi Taluk — Padu Village — Kaup Lighthouse — S. Nos 76/1, 2 & 9 — Ownership.

Paper put up No 3413 — 4-11-37 — (W)

p1p 1-6 cf — E 5979/39 Collr of S. Kanara, Rg B-5-3550/39 dated 25-9-39

p2 cf — Boards' Rpt E 5979/39-1 dated 14-10-39

p9 cf — E. 331/40 Collr of S. Kanara, Rg B-5-3550/39 of 11-1-40

pp 15-16 cf — Boards' Rpt E 5979/39-2 dated 3-2-40

p12 cf — E 1739/40 Collr of S. Kanara, Rg B-5-3550/40 of 14-3-40

p19 cf — Boards' Rpt E 5979/39-3 dated 2-4-40

pp 21-23 cf — E 2292/40 Collr of S. Kanara, Rg B-5-3550/39 of 12-4-40

p25 cf — Boards' Rpt E 5979/39-4 dated 30-4-40.

p27 cf — E 2731/40 Collr of S. Kanara, Rg B-5-3550/40 of 9-5-40 To AS (LR)

Batch at p16 cf

This file deals with the question of ownership of S. Nos 76/1, 2 and 9 of Paduvige containing the area of the lightkeepers attached to the Kaup Lighthouse.

p1 cf

The Collr reports that there is a

p1 & p9 cf

coconut garden in S. No 76/1 which is in charge of the Revenue Dept. This garden is being leased by the Taluk Udipi every year. But the Head Lightkeeper, who has his area in the same S. No, prevents outriders from taking ~~leasing~~ the garden on lease and ~~claims it~~ gets the lease in his own name for a nominal rent. In order to get over this difficulty, the

do — Collr proposed to handover the plots to the

18-5-39 — Marine Dept under B. S. 6 23(1) after

Collecting the market value. He consulted p1 cf
the Principal Offr, Mercantile Marine Dept. The
latter refers to previous letters from the Bd. Mp 21 & 27 cf (W)
to the Govt and from the Govt to the Govt (Mp 5 - 6 cf)
of India in which it has been accepted p 29 cf (W)
that the lands vest in the Genl lighthouses (p 3 cf)
and lightships Dept. He also claims that the
lands belong to the Central Govt. In the cir-
cumstances the Coll solicits orders whether p 2 cf
they should be treated as belonging to
the Central or Prov Govt.

A no. of refes were made to the Coll Mp 2, 15, 16, 19 & 27 cf
and all the available information leading
to a decision on the ownership of the lands
have been obtained from him. The mate-
rials available do not furnish a defi-
nite and decisive clue in the matter.
In fact there are points to indicate the
title of both the Govts to the plots. But the
evidence in favour of the Marine Deptt are
preponderating. The facts are sorted and
set out below:—

Points that indicate the title of the Central Govt.

(1) The S. Nos stand regd. in the vge land [p 1 cf
register as "Kaup lighthouse Bungalow garden p 21 cf (W)
poramboke".

(2) The grs of the Hd. lightkeeper stands in p 1 cf
S. No 76/1 and that of the 2nd Asst. lightkeeper p 17 cf

	wi S. Nos 76/1 and 76/10A - a holding regd
p2 lf-W	wi the name of the deity Brahmalinga
	Dev.
p9 cf	(3) S. Nos 76/1, 2 & 9 and 76/10A are enclosed
	by a compound wall consisting of a mud
	enclosure.
p2 lf W	[The above facts were already reported
	by the Collr in 1937 in connection with the
hlp1f-cf W	verification of the title of the Genl. Lighthouse
	and lightships Dept to all lands in the
	Presy. attached to it. On the basis of this
p29 cf W	~~Report~~ report, the Prov Govt informed the
	Govt of India that they accepted the title
	of that Dept to the lands in question —
— do —	vide letter from the Govt. P.W.D, No Ms 2166
	P.W.D dated 26-10-37. This is the letter
	on which the Pvt. Offr bases his claim —
	vide p1 c.f.]
	(4) The lightkeepers pro standing on these
p9 cf	S. Nos were built by the Marine Dept in
	1901.
	(5) In 1936, the rent realised from the
— do —	lease of the garden was credited to Central
	Revenues.
	Points that indicate the title of the Prov. Govt.
	(1) The lands with the garden, except the
p2 cf	portions covered by the bldgs, has always
	been in charge of the Rev. Dept which is

leasing the garden and collecting the rent annually.

(2) In 1935 and 1938 the rents realised from leasing the garden were credited to Provl. Revenues. p9 cr.

But no authority is traceable in regard to the above 2 points. There is no information as to who planted the trees in the garden and when and in what circumstances. p27 cr.

Further, though in 1935 and 1938, the rent was credited to Provl. Revenues, the rent for 1936 was credited to Central Revenues. p9 cr

Credits for previous years are not traceable. —do—

It is not known why the rents were credited to different heads in these years. These p17 cr

provide no clear indication on the subject.

On the other hand in view of the registry of the land the lighthouse qrs and the garden p1 cr

standing in the same S.No, the existence —do—

of an enclosure around the S.Nos including p9 cr

the garden and the construction of the qrs —do—

by the Marine Dept, it is fairly clear that the lands, with the qrs and the garden, already vested in the Central Govt. The garden may be handed over to the Marine Dept. As however a Central Govt Dept is a party to the question, the facts may be reported to the Govt for orders. The Bd. may offer its remarks on the line

suggested above.

TBP 21/7. Eabr 13/7

Yes, method of expressing any concessions & reservations opinions

CB 21/7

A.S.(L.R.)

To A.S.(L.R.)

Draft subd.

TBP 9/7. Eabr 13/7

CB 21/7

A.L.R. p.p.

G.G.N. No 2176 P.W.D. of 15-10-60

Draft subd.

TBP 21/10 22/10

CB

A 1-A

No: 2941

23-10-40

Single Member

~~Full Board~~.

1-A	A.D.S. & L.R.	Assistant Secretary	L.R. Sett.	Sep.Rev.	Joint Secy.	Secy.	M-4	M-3	M-2	M-1

1. Open file en by
2. Final draft seen by
3. Now circulated to
4. Initials.

Passed for record

Secretary
Joint Secretary

A.S. (C.V.) 4/4

A.S.(L.R.) 18/4/41.

A.S.(Sett)

A.S.(Excise) 4/4 1/3

A.D.S. & L.R.

1-A

Note - Entries not required to be scored out.